[10121/02401]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant(s)

James F. McGUCKIN, Jr. Et al.

MAR 2 5 2004

Serial No.

10/062,760

Filed

January 32, 2002

Title

APPARATUS AND METHOD FOR RESECTIONING

GASTRO-ESOPHAGEAL TISSUE

Group Art Unit

3730

Examiner

Jessica R. Baxter

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Mail Stop: AF

Certificate of Facsimile

I hereby certify that this correspondence is being transmitted via facsimile to:

Commissioner for Patents

Mail Stop: AF (703) 872-9306

Date: March 25, 2004

TRANSMITTAL

SIR:

In response to the Final Office Action mailed January 26, 2004, transmitted herewith please find an Amendment Under Rule 116 for filing in the above-identified application.

No fees are believed to be required. However, if fees are required, please charge the Deposit Account of Fay Kaplun & Marcin, LLP No. 50-1492. A copy of Transmittal is included for that purpose.

Respectfully submitted.

Dated: March 25, 2004

Ofeg Kaplun, Reg. No. 45,559

Fay Kaplun & Marcin, LLP 150 Broadway, Suite 702 New York, NY 10038

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MAR 2 5 2004



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants

James F. MCGUCKIN, Jr. et al.

Serial No.

10/062,760

Filed

January 31, 2002

For

APPARATUS AND METHOD FOR RESECTIONING

GASTRO-ESOPHAGEAL TISSUE

Group Art Unit

3731

Examiner

Jessica R. Baxter

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 Mail Stop: AF

AMENDMENT UNDER RULE 116

SIR:

In response to the Office Action mailed January 26, 2004, please amend the application as follows: